

## AMENDMENTS TO THE SPECIFICATION

**Please replace the paragraph beginning at page 10, line 4 of the substitute specification, with the following rewritten paragraph:**

The light emitting device of the present invention may include a phosphor selected from the group consisting of;

an alkaline earth halogen apatite phosphor activated by Eu, or Eu and Mn [(Sr, Ca, Ba, Mg)<sub>5</sub>(PO<sub>4</sub>)<sub>3</sub>(F, Cl, Br):Eu, Mn],

an alkaline earth metal aluminate phosphor [SrAl<sub>2</sub>O<sub>4</sub>:Eu, ~~Sr<sub>4</sub>Al<sub>14</sub>O<sub>25</sub>:Eu, Mn~~ ~~Sr<sub>4</sub>Al<sub>14</sub>O<sub>25</sub>:Eu(Mn)~~, CaAl<sub>2</sub>O<sub>4</sub>:Eu(Mn), BaMg<sub>2</sub>Al<sub>16</sub>O<sub>27</sub>:Eu, ~~BaMg<sub>2</sub>Al<sub>16</sub>O<sub>27</sub>:Eu, Mn~~ ~~BaMg<sub>2</sub>Al<sub>16</sub>O<sub>12</sub>:Eu, Mn~~ and BaMgAl<sub>10</sub>O<sub>17</sub>:Eu(Mn)],

an yttrium aluminate phosphor activated by cerium,

a rare earth acid sulfide phosphor activated by Eu (La<sub>2</sub>O<sub>2</sub>S:Eu, Y<sub>2</sub>O<sub>2</sub>S:Eu and Gd<sub>2</sub>O<sub>2</sub>S:Eu),

an organic complex phosphor activated by Eu [(Sr, Ca, Ba, Mg)<sub>5</sub>(PO<sub>4</sub>)<sub>3</sub>Cl:Eu, ZnS:Cu, Zn<sub>2</sub>GeO<sub>4</sub>:Mn, (Sr, Ca, Ba, Mg)Ga<sub>2</sub>S<sub>4</sub>:Eu, and ~~(Sr, Ca, Ba, Mg)<sub>2</sub>Si<sub>5</sub>N<sub>8</sub>:Eu(Sr, Ca, Ba, Mg)<sub>2</sub>Si<sub>5</sub>N:Eu~~]. With this, the color tone can be adjusted in detail and a white light having good color rendering properties can be obtained with a relatively simple construction.

**Please replace the paragraph beginning at page 28, line 17 of the substitute specification, with the following rewritten paragraph:**

In the light emitting device of the present invention, at least one phosphor selected from the group of;

an alkaline earth halogen apatite phosphor activated by Eu, or Eu and Mn((Sr, Ca, Ba, Mg)<sub>5</sub>(PO<sub>4</sub>)<sub>3</sub>(F, Cl, Br):Eu, Mn),

an alkaline earth metal aluminate phosphor(SrAl<sub>2</sub>O<sub>4</sub>:Eu, Sr<sub>4</sub>Al<sub>14</sub>O<sub>25</sub>:Eu(~~Mn~~)Mn, CaAl<sub>2</sub>O<sub>4</sub>:Eu(Mn), BaMg<sub>2</sub>Al<sub>16</sub>O<sub>27</sub>:Eu, ~~BaMg<sub>2</sub>Al<sub>16</sub>O<sub>12</sub>~~ BaMg<sub>2</sub>Al<sub>16</sub>O<sub>27</sub>:Eu, Mn, and BaMgAl<sub>10</sub>O<sub>17</sub>:Eu(Mn)),

nitrogen-containing CaO-Al<sub>2</sub>O<sub>3</sub>-SiO<sub>2</sub> phosphor activated by Eu and /or Cr (oxynitride phosphor glass),

M<sub>x</sub>Si<sub>y</sub>N<sub>z</sub>:Eu (where M is at least one selected from Mg, Ca, Ba, Sr and Zn, z=2/3x+4/3y),

a rare earth acid sulfide phosphor activated by Eu ( $\text{La}_2\text{O}_2\text{S}:\text{Eu}$ ,  $\text{Y}_2\text{O}_2\text{S}:\text{Eu}$ , and  $\text{Gd}_2\text{O}_2\text{S}:\text{Eu}$ ),

an organic complex phosphor activated by Eu ( $(\text{Sr}, \text{Ca}, \text{Ba}, \text{Mg})_5(\text{PO}_4)_3\text{Cl}:\text{Eu}$ ,  $\text{ZnS}:\text{Cu}$ ,  $\text{Zn}_2\text{GeO}_4:\text{Mn}$ ,  $(\text{Sr}, \text{Ca}, \text{Ba}, \text{Mg})\text{Ga}_2\text{S}_4:\text{Eu}$ , and  $(\text{Sr}, \text{Ca}, \text{Ba}, \text{Mg})_2\text{Si}_5\text{N}_8:\text{Eu}$ ) may be used together with said photo luminescent phosphor. With this, the various desired luminescent colors can be obtained easily.

**Please replace the paragraph beginning at page 70, line 5 of the substitute specification, with the following rewritten paragraph:**

The light emitting device is made similar to the device of Example 8 except that the color conversion layer is formed by the coating medium dispersively mixed with the phosphor of  $(\text{Ca}_{0.94}, \text{Eu}_{0.05}, \text{Mn}_{0.01})_2 \text{B}_5 \text{O}_9 \text{Cl}$  and the phosphor of  $(\text{Y}_{0.8}\text{Gd}_{0.2}\text{Y}_{0.08}\text{Gd}_{0.200})_3 \text{Al}_5\text{O}_{12}:\text{Ce}$  which is a second phosphor capable of emitting a yellow light excited by the light emitted from the first phosphor in Example 8, thereby obtaining the color tone of the chromaticity coordinates  $(x,y)=(0.325,0.334)$ . Moreover, the luminous efficiency is 25.8 lm/W at the drive condition of 20mA. Although, the light emitting device is constituted by adding the second phosphor to the light emitting device of example 8 in this example, the light emitting device of any one of examples 1-40 may include the second phosphor in the color conversion layer in the similar way.

**Please replace the paragraph beginning at page 70, line 21 of the substitute specification, with the following rewritten paragraph:**

The light emitting device is made similar to the device of Example 41 except that the phosphor of  $(\text{Ca}_{0.64}, \text{Ba}_{0.10}, \text{Sr}_{0.20}, \text{Eu}_{0.05}\text{Eu}_{0.50}, \text{Mn}_{0.01})_2 \text{B}_5 \text{O}_9 \text{Cl}$  is used as a first phosphor in Example 41, thereby obtaining the color tone of the chromaticity coordinates  $(x,y)=(0.323,0.338)$ . Moreover, the luminous efficiency is 25.7 lm/W at the drive condition of 20mA.